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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA,
SAN FRANCISCO DIVISION

SONOS, INC.,
Plaintiff and Counter-defendant,
v.
GOOGLE LLC,
Defendant and Counter-claimant.

Case No. 3:20-cv-06754-WHA

Consolidated with
Case No. 3:21-cv-07559-WHA

**DECLARATION OF ELIZABETH R.
MOULTON IN SUPPORT OF JOINT
STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
FILING BILL OF COSTS**

Judge: Hon. William Alsup
Trial Date: May 8, 2023

1 I, Elizabeth R. Moulton, declare as follows and would testify under oath if called upon to
2 do so:

3 1. I am a partner with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel of
4 record to Sonos, Inc. (“Sonos”) in the above-captioned matter. I am a member in good standing of
5 the Bar of the State of California. I make this declaration based on my personal knowledge,
6 unless otherwise noted. If called, I can and will testify competently to the matters set forth herein.

7 2. I make this declaration pursuant to Civil L.R. 6-1(b) and 6-2 in support of the
8 Parties’ Joint Stipulation And [Proposed] Order Extending Time For Filing Bill Of Costs.

9 3. The Parties believe that an extension of the time to file a Bill of Costs will both
10 allow Sonos to more accurately calculate its taxable costs and allow the parties time to meet and
11 confer about the underlying issues in an attempt to minimize any disputes raised to the Court.

12 4. Google further believes that the final judgment should be vacated pending
13 resolution of outstanding issues in this case and, thus, assessing costs through submission of a bill
14 of costs and objections thereto is premature at this time.

15 5. There have been no prior stipulations to extend the time for Defendants to
16 serve and file any Bill of Costs.

17 6. With respect to Civil L.R. 6-2(a)(2), I am aware of seven previous modifications to
18 the case schedule based on my review of the docket: the Court gave the parties additional time
19 extending the deadline for mediation (Dkt No. 245); the Court gave the parties additional time to
20 file a joint discovery letter in response to Sonos’s motion to compel Google to produce
21 information in response to two requests for production (RFP Nos. 62 and 75) (Dkt 295); the Court
22 gave the parties additional time extending the expert report and discovery deadlines (Dkt 402);
23 the Court gave Google an extension of time to respond to Sonos’ motion for leave to amend
24 infringement contentions (Dkt 417); the Court gave the parties additional time extending the
25 expert discovery, expert reports, and dispositive motions (Dkt 434); the Court gave the parties
26 additional time extending the expert discovery, expert reports, and dispositive motions (Dkt 460).

27 7. The parties do not expect that this change will impact any other dates already fixed
28 by the Court’s Post-Trial Scheduling Order (Dkt. 796).

1 8. The parties have stipulated and jointly request that the Court extend the time to file
2 a bill of costs from June 9, 2023 to 14 days after the conclusion of briefing on Rule 50 and 59
3 motions and the Court's orders on such motions.

4 I declare under penalty of perjury under the law of the United States of America that the
5 foregoing is true and correct to the best of my knowledge. Executed this 6th day of June, 2023, at
6 Zephyr Cove, Nevada.

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ELIZABETH R. MOULTON